IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

WRIT PETITION NO. 973 OF 2004

1. Union of India & anr. .. Petitioners

v/s.

Balkrishna Industries Ltd. .. Respondent

Mr.A.J.Rana, senior counsel with Mr. H.V.Mehta i/by Mr. T.C.Kaushik for petitioners.

Mr.Jitendra Jain i/by M/s. DSK Legal for respondent.

CORAM : R.M.LODHA AND
J.P.DEVADHAR, JJ.

DATED : 10th August, 2004

P.C.

At the outset, the learned senior counsel for the petitioners tendered affidavit of D.Y. Raje, Assistant Commissioner of Central Excise, clarifying that before the learned Single Judge by inadvertence, incorrect statement was made that the appeal stands admitted in the matter of M/s. Beauty Dyers v. Union of India, reported in 2004(166) ELT 27. It is now clarified that though the appeal has been preferred against the said judgment but the same is not yet admitted.

2. Be that as it may, the learned senior counsel seeks withdrawal of the writ petition.

3. We accede to his prayer and allow the writ petition to be withdrawan.

(R.M.LODHA, J.)

(J.P. DEVADHAR, J.)